

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS

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In re:

BUHRE BEVERAGE DISTRIBUTION, INC.,

Debtor.

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WILLIAM SANCHEZ,

Plaintiff,

-against-

BUHRE BEVERAGE DISTRIBUTION, INC.,
BHAVEEN SAPRA, BRUCKNER BEVERAGE, INC.
and PEPSI-COLA BOTTLING COMPANY OF NEW
YORK, INC.,

Defendants.

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Chapter 11

Case No. 14-22048-rdd

Adv. Pro. No.: 14-08218-rdd

**NOTICE OF HEARING TO CONSIDER THE MOTION SEEKING A TEMPORARY
RESTRAINING ORDER AND RELATED RELIEF**

PLEASE TAKE NOTICE that at 10:00 a.m. on May 13, 2014, or as soon thereafter as counsel can be heard, a hearing will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, in Courtroom 118 at the United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601 to consider the Motion Seeking an Order (a) Restraining and enjoining Pepsi-Cola Bottling Company of New York, Inc. and/or any of their agents from actively and/or constructively terminating the Debtor's and/or William Sanchez's ("Sanchez") rights under the existing distributor agreement between Pepsi, Buhre and Sanchez (the "Buhre Distributor Agreement"); (b) Directing Pepsi to immediately restore control and operation of the certain Pepsi distribution route that covered certain territory in the Bronx, New York (the "Buhre Pepsi Route") that is the subject of the Buhre Distributor Agreement, to the Debtor under the normal and ordinary terms thereof; and (c) For such other and further relief as this Court deems just and equitable under the circumstances; and it is further

PLEASE TAKE FURTHER NOTICE, that objections, if any, shall be in writing and served so as to be received by: (i) the Clerk of the United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601, with a courtesy copy to the Chambers of Judge Robert D. Drain; (ii) Penachio Malara, LLP. 235 Main Street, White Plains, New York 10601, counsel to Buhre Beverage Distribution, Inc. and Bhaveen Sapra, (iii) Pepsi-Cola Bottling Company of New York, Inc. 650 Brush Ave, Bronx, New York 10465 (iv) Bruckner Beverage, Inc. 22 Stony Hollow, Chappaqua, New York 10514; and (v) The Law Offices of Michael G. Mc Auliffe, Esq. 68 South Service Road, Suite 100, Melville, New York, 11747; and (iv) the Office of the United States Trustee, 33 Whitehall Street, Suite 2100, New York, NY 10004, no later than May 12, 2014 at 1:00 p.m.

PLEASE TAKE FURTHER NOTICE, that the Motion has been filed in the instant adversary proceeding with the United States Bankruptcy Court for the Southern District of New York, and is available for viewing and downloading or printing over the internet at <http://ecf.nysb.uscourts.gov> by registered users of the PACER system, and hard copies are available by written or telephonic request to the Law offices of Michael G. Mc Auliffe, 68 South Service Road, Suite 100, Melville, New York, 11747, telephone (631) 465-0044.

PLEASE TAKE FURTHER NOTICE, that your response to the Motion is not required and you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: Melville, New York
May 1, 2014

Law Offices of Michael G. Mc Auliffe, Esq.
Counsel to William Sanchez

By: /s/ Michael G. Mc Auliffe
Michael G. Mc Auliffe, Esq.
68 South Service Road, Suite 100
Melville, New York 11747
(631) 465-0044